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# ❖SPC&B Safety News❖

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A Newsletter for Clients of Sharretts, Paley, Carter & Blauvelt, P.C.

June 5, 2013

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## *Minnesota Ban on Formaldehyde in Certain Children's Products — A Sign of Things to Come?*



Minnesota recently became the first U.S. state to ban formaldehyde intentionally added to certain children's products. The Minnesota legislative press release indicates that the bill only bans intentionally added formaldehyde in "personal care products for children" under age 8, including baby shampoos, bubble bath and other lotions or gels applied to children.

Nevertheless, the language of the actual legislation could be interpreted differently, defining the covered "children's products" as products "primarily designed or intended by a manufacturer to be physically applied to or introduced into a child's body." Food, pharmaceutical products, toys and medical devices are specifically excluded from the ban.

The Minnesota prohibition will enter into force on August 1, 2014, for products sold by manufacturers and wholesalers and on August 1, 2015 for products sold at retail. In light of Minnesota's recent action, it is likely that other states will consider bans on formaldehyde use in products being sold in their jurisdictions.

If you have any concerns about your company's compliance with state and federal safety laws, please contact Gail Cumins at [gcumins@spcblaw.com](mailto:gcumins@spcblaw.com), Donna Shira at [dshira@spcblaw.com](mailto:dshira@spcblaw.com), or Alli Baron at [abaron@spcblaw.com](mailto:abaron@spcblaw.com), or call us at 212-425-0055, for more information.

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